

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: To Be Assigned  
Applicant: Toru MIYANO  
Filed: To Be Assigned  
Title: DISK APPARATUS, DISK APPARATUS CONTROLLING METHOD,  
PROGRAM AND RECORDING MEDIUM (AS AMENDED)  
TC/A.U.: To Be Assigned  
Examiner: To Be Assigned  
Confirmation No.: To Be Assigned  
Docket No.: MTS-3553US

**INFORMATION DISCLOSURE STATEMENT*****Mail Stop PCT***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (R&P) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 2002-238008
- 2) 2002-109873
- 3) 05-074038
- 4) 04-060956

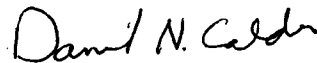
MTS-3553US

References 1) to 3) were cited in a search report by a foreign Patent Office in a patent application corresponding to the above-identified patent application. A copy of this search report and of the English translation thereof, which indicate the degree of relevance found by the foreign office, are transmitted herewith. MPEP 609 IIIA(3), second paragraph.

Reference 4) includes an English language abstract and a "concise explanation" under 37 CFR § 1.98(a)(3) is set forth in the background portion of the specification.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,



Daniel N. Calder, Reg. 27,424  
Attorney for Applicant

DNC/fp

Enclosures: PTO Form 1449 (2 sheets)  
Copies of (4) References  
Japanese Search Report and English translation thereof

Dated: March 23, 2005

P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** (Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Toru MIYANO
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket No.	MTS-3553US

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
/O.A./		JP 2002-238008 A (with English abstract)	08/23/02	MATSUSHITA ELEC IND CO LTD		<input type="checkbox"/>
/O.A./		JP 2002-109873 A (with English abstract)	04/12/02	TOSHIBA CORP.		<input type="checkbox"/>
/O.A./		JP 05-074038 A (with English abstract)	03/26/93	OKI ELECTRIC INDUSTRY CO., LTD.		<input type="checkbox"/>
/O.A./		JP 04-060956 (with English abstract)	02/26/92	BROTHER IND LTD		<input type="checkbox"/>
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Examiner Signature	/Oluwaseun Adegeye/	Date Considered	11/20/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:**  
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